

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES**

APPELLANT:	Holger Lorenz et al.)	
)	Group Art Unit: 2612
)	
SERIAL NUMBER:	10/562,596)	Examiner: Travis R. Hunnings
)	
FILED:	December 22, 2005)	
)	
FOR:	SEAT OCCUPANCY SENSOR)	Confirmation No.: 8604

Commissioner for Patents
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REPLY BRIEF

In response to the Examiner's Answer mailed March 16, 2009, the Applicants submit the following reply:

STATUS OF CLAIMS

Presently, claims 1-24 are pending in the application. Each claim has been twice rejected, and no claims have been allowed or confirmed, withdrawn, objected to or cancelled. Accordingly, the rejections of claims 1-24 are being appealed.

GROUND OF REJECTION TO BE REVIEWED ON APPEAL

In the Office Action of September 11, 2007, claims 1-6, 9, 10, 13-18, 21 and 22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Meister et al. (US Patent No. 5,570,903), claims 7, 11, 19 and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Meister in view of Federspiel (US Patent No. 7,160,460) and claims 8, 12, 20 and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Meister in view of Bieck (US Patent Application Publication No. 2004/0163939). These rejections were reiterated in the Final Office Action of May 21, 2008.

ARGUMENT

All points made in the Applicant's Brief are reiterated herein. However, certain ones of the Examiner's points are specifically addressed below:

1) The applicants disagree with the Examiner's assertion, on page 8 of the Examiner's answer, that the claims do not "recite a physical connection of the switching elements, much less a hardwired connection of the switching elements."

Claim 1 specifically recites that "said first switching element and said second switching element are connected together in such a way as to implement a logical AND operation." The applicants submit that someone of ordinary skill in the art would interpret this phrase as a physical, hardwired connection.

2) In lines 1-3 of the Examiner's answer, the Examiner stated that "Meister discloses several sensing signals being connected to an analyzer circuit," and then relied upon this statement to assert that "[by] connection all of the individual sensor signals to the analyzer circuit, the signals are 'connected together in such a way' as required by the claim.

Responsively, applicants point out that the claims recite switching elements being connected together. They do not, however, recite signals being connected together, as suggested by the Examiner. Accordingly, since the claims do not relate to signals being connected together it is improper for the Examiner to suggest that Meister discloses a connection of signals "as required by the claim[s]" in rejecting the claims.

3) The applicants disagree with the Examiner's statement that Meister discloses the claimed invention since figure 1 of Meister "clearly shows two switching elements (18 and 20) being connected in a physical hardwired fashion..."

The claims recite "pressure actuatable switching elements," which are connected together. Figure 1 of Meister, on the other hand, merely discloses an open weight sensor switch 18 and a magnetic switch 20. Here, without addressing the question of whether either one of the open weight sensor switch 18 or the magnetic switch 20 is analogous to the claimed "pressure actuatable switching

elements,” applicants assert that both of the open weight sensor switch 18 and the magnetic switch 20 are clearly different from one another. Thus, applicants further assert that both the open weight sensor switch 18 and the magnetic switch 20 cannot be simultaneously analogous to the claimed “pressure actuatable switching elements.” Therefore, the Examiner has not, in fact, shown that Meister discloses the claimed invention.

CONCLUSION

In view of the foregoing, it is urged that the final rejection of the claims is in error and should be reversed.

If there are any charges with respect to this Reply Brief or otherwise, please charge them to deposit account number 06-1130.

Respectfully submitted,

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